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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/565,673

05/09/2006

Vicent Gressier

1200745

2026

7590 03/02/2009  
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EXAMINER

LE, DANG D

ART UNIT

PAPER NUMBER

2834

MAIL DATE

DELIVERY MODE

03/02/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/565,673	<b>Applicant(s)</b> GRESSIER ET AL.	
	<b>Examiner</b> Dang D. Le	<b>Art Unit</b> 2834	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3,4 and 8-11 is/are rejected.
- 7) ☒ Claim(s) 2 and 5-7 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 January 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. ____.                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>5/9/06</u> .  | 6) <input type="checkbox"/> Other: ____.                          |



## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The listing of references in the specification is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609.04(a) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered.

### ***Specification***

2. The abstract of the disclosure is objected to because it contains the word "comprising" at line 1. Correction is required. See MPEP § 608.01(b).

### ***Claim Objections***

3. Claim 4 is objected to because of the following informalities: Claim 4 depends on claim 1. Therefore, it is not clear what "said series" refers to. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 1, 3, 4, and 8-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pflueger et al. (5,296,770) in view of Martiny, Jr. (6,984,906).

Regarding claim 1, Pflueger et al. shows a motor vehicle alternator of the type comprising:

- a casing (18, 20) carrying a stator, the electrical potential of which is connected to the vehicle earth (column 4, lines 20-25);
- a rotor (16, 17) whose central shaft (13) is mounted for rotation in the stator, a rear axial end of the rotor shaft which extends axially outside the stator (left, Figure 1), carrying a pulley for rotationally driving the shaft driven in rotation by a flexible driving element, in particular a belt or a chain (left, Figure 1).

Pflueger et al. does not show means aimed at eliminating the electrostatic charges on the alternator, wherein that the said means provide a contactless electrical connection on a controlled external path between on the one hand the casing and on the other hand the pulley and/or the flexible driving element.

Martiny, Jr. shows means (38) aimed at eliminating the electrostatic charges on a motor, wherein that the said means provide a contactless electrical connection on a controlled external path between on the one hand the casing (26) and on the other hand the pulley and/or the flexible driving element (shaft 20) for the purpose of reducing damage to the bearing.

Since Pflueger et al. and Martiny, Jr. are all from the same field of endeavor; the purpose disclosed by one inventor would have been recognized in the pertinent art of the others.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include means aimed at eliminating the electrostatic charges on the alternator, wherein that the said means provide a contactless electrical connection on a controlled external path between on the one hand the casing and on the other hand the pulley and/or the flexible driving element as taught by Martiny, Jr. for the purpose discussed above.

Regarding claim 3, Martiny, Jr. also shows said means comprise a series of concentration peaks (42) for the electrical charges (Figure 3).

Regarding claim 4, Martiny, Jr. also shows the peaks in the said series being adjacent in order to constitute a collar projecting radially and/or axially, comprising a peripheral end edge free from any sharp profile (Figure 3).

Regarding claims 8-11, Martiny, Jr. also shows the peak extending in the direction of the external convex cylindrical lateral surface of a tubular axial sleeve of the hub of the housing (26), at least one peak extending opposite a facing portion of the

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transverse lateral face of the flexible drive elements (shaft), at least one peak extends opposite a facing portion of a transverse lateral face of the shaft, and at least one peak extending opposite a facing portion of the cylindrical lateral face of the shaft (Figures 2 and 3).

***Allowable Subject Matter***

7. Claims 2 and 5-7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. The following is a statement of reasons for the indication of allowable subject matter: the record of prior art does not show the said means comprising at least one concentration peak for the electrical charges which is formed on an external face of the casing, and which extends in relief in the direction of a facing portion of the pulley and/or the flexible driving element so as to eliminate the electrostatic charges by the formation of electric arcs between the peak and the said portion as recited in claim 2. Claims 5-7 are dependent claims.

***Information on How to Contact USPTO***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dang D. Le whose telephone number is (571) 272-2027. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Quyen Leung can be reached on (571) 272-8188. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dang D Le/  
Primary Examiner, Art Unit 2834

2/25/09